

# EXHIBIT A

## Troy A. Pacella

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**From:** Carla Varriale-Barker  
**Sent:** Wednesday, March 20, 2024 5:45 PM  
**To:** leah forster  
**Cc:** Leander James; Troy A. Pacella; atwersky@twerskylaw.com; Lucia Saitta; Ilana Neufeld; mguttmann@twerskylaw.com; jlowe@twerskylaw.com; Kimberly Connolly; Carla Varriale-Barker  
**Subject:** Re: Sokolovsky - Non-Party Witness Deposition of Leah Forster

It would be helpful if you would have forwarded the requested documents to us per the subpoena, not the Plaintiff's office. Please review the bullet-pointed items from the subpoena and if there are responsive documents, please respond to everyone. Then we will be in a position to complete your deposition without further delay.

Thank you.  
Sent from my iPhone

On Mar 20, 2024, at 5:31 PM, leah forster <lilatunes@gmail.com> wrote:

Your team = carla and co

On Wed, Mar 20, 2024, 5:30 PM leah forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)> wrote:  
I find it wasteful that your team asks for the same thing despite my repeated responses of the same fashion. Its bullyish.

On Wed, Mar 20, 2024, 4:32 PM Carla Varriale-Barker <[CVarriale@smsm.com](mailto:CVarriale@smsm.com)> wrote:

We have a discovery end date we are trying to complete. We will continue to press for discovery because we get information in a piecemeal fashion. The self-serving emails take up more time and are wasteful.

**Carla Varriale-Barker** (*she/her/hers*) | Shareholder

212.651.7437 Direct | [cvarriale@smsm.com](mailto:cvarriale@smsm.com)

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**From:** Leander James <[ljames@jvwlaw.net](mailto:ljames@jvwlaw.net)>  
**Sent:** Wednesday, March 20, 2024 4:27 PM  
**To:** Troy A. Pacella <[TPacella@SMSM.com](mailto:TPacella@SMSM.com)>; Carla Varriale-Barker <[CVarriale@SMSM.com](mailto:CVarriale@SMSM.com)>; leah forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)>  
**Cc:** [atwersky@twerskylaw.com](mailto:atwersky@twerskylaw.com); Lucia Saitta <[lucia@jvwlaw.net](mailto:lucia@jvwlaw.net)>; Ilana Neufeld <[ineufeld@twerskylaw.com](mailto:ineufeld@twerskylaw.com)>; [mguttmann@twerskylaw.com](mailto:mguttmann@twerskylaw.com); [jlowe@twerskylaw.com](mailto:jlowe@twerskylaw.com); Kimberly Connolly <[KConnolly@SMSM.com](mailto:KConnolly@SMSM.com)>  
**Subject:** RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Dear Mr. Pacella and Ms. Varriale-Barker,

In an abundance of cooperativeness, I checked yet again with my team yet again for communications to Plaintiff from Ms. Forster. Please note that on March 20, 2024, at 12:33 p.m. we forwarded to Defendants communications between Ms. Forster to Plaintiff. We have produced all such information we had. My team checked with Plaintiff again today and received (today) a few non-responsive communications that have nothing to do with this case. Ms. Saitta will forward them shortly. With those, you have all known communications between Plaintiff and Ms. Forster. Further emails on this subject would be unnecessary.

The comprehensiveness of Plaintiff's production of discoverable information together with her production of non-responsive/non-discoverable information, including Plaintiff's production of the "Non-Responsive" log created by the e-discovery vendor, show, respectfully, how duplicative, unnecessary, wasteful and distracting Defendants' ongoing discovery campaign is. Plaintiff will continue to ask the Court to rein in Defendants' campaign. We recognize and respect your position of disagreement.

By contrast, Defendants' discovery responses, are insufficient.

Respectfully,

Leander L. James, of the firm

JAMES, VERNON & WEEKS, P.A.

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**From:** Leander James

**Sent:** Wednesday, March 20, 2024 11:34 AM

**To:** Troy A. Pacella <[TPacella@SMSM.com](mailto:TPacella@SMSM.com)>; Carla Varriale-Barker <[CVarriale@SMSM.com](mailto:CVarriale@SMSM.com)>; Leah Forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)>

**Cc:** [atwersky@twerskylaw.com](mailto:atwersky@twerskylaw.com); Lucia Saitta <[Lucia@jvwlaw.net](mailto:Lucia@jvwlaw.net)>; Ilana Neufeld <[ineufeld@twerskylaw.com](mailto:ineufeld@twerskylaw.com)>; [mguttmann@twerskylaw.com](mailto:mguttmann@twerskylaw.com); [jlowe@twerskylaw.com](mailto:jlowe@twerskylaw.com); Kimberly Connolly <[KConnolly@SMSM.com](mailto:KConnolly@SMSM.com)>

**Subject:** RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Dear Mr. Pacella and Ms. Varriale-Barker,

Plaintiff has given Defendants everything she has received from Ms. Forster in discovery, most of it long ago. That said, I will double-check with my Team (actually triple or quadruple-check, because we've been down this road before).

Plaintiff respectfully maintains that Defendants' ongoing, aggressive discovery at this stage of the case, much of it retreading old ground, is duplicative and disproportionate under Rule 26 of the Fed. R. of Civ. P. Defendants' almost daily requests and re-requests, often for documents already produced, is distracting the parties from preparing for depositions and getting other important matters done that will actually advance the issues in this case to resolution.

Respectfully,

Leander L. James, of the firm

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e-mail: [ljames@jvwlaw.net](mailto:ljames@jvwlaw.net)

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Home Page: <http://www.jvwlaw.net/>

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**From:** Troy A. Pacella <[TPacella@SMSM.com](mailto:TPacella@SMSM.com)>  
**Sent:** Wednesday, March 20, 2024 11:02 AM  
**To:** Carla Varriale-Barker <[CVarriale@SMSM.com](mailto:CVarriale@SMSM.com)>; leah forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)>  
**Cc:** [atwersky@twerskylaw.com](mailto:atwersky@twerskylaw.com); Lucia Saitta <[lucia@jvwlaw.net](mailto:lucia@jvwlaw.net)>; Ilana Neufeld <[ineufeld@twerskylaw.com](mailto:ineufeld@twerskylaw.com)>; Leander James <[ljames@jvwlaw.net](mailto:ljames@jvwlaw.net)>; [mguttmann@twerskylaw.com](mailto:mguttmann@twerskylaw.com); [jlowe@twerskylaw.com](mailto:jlowe@twerskylaw.com); Kimberly Connolly <[KConnolly@SMSM.com](mailto:KConnolly@SMSM.com)>  
**Subject:** RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

Please see the items below:

- **Recent Communications with the Plaintiff:** All recent communications between yourself and the Plaintiff through WhatsApp and text messages, as referenced on pages 12, 13, 15, and 79 of your deposition transcript.
- **Payments to the Plaintiff:** As discussed on pages 44-45 of your deposition, we request records of any payments sent to the Plaintiff via Venmo, CashApp, or similar platforms.
- **Plaintiff's Therapy or Prescription Payments:** Please provide records of any payments made for the Plaintiff's therapy or prescriptions, as noted on pages 48-50 of your deposition.
- **Communications with Asher Lovy:** All communications you have had with Asher Lovy, as requested on pages 87-89 of your deposition.
- **Communications with Izzy Appel:** Please provide records of any communications with Izzy Appel as requested on page 95 of your deposition transcript.
- **Communications with Chiam:** Finally, communications with Chiam, as requested on pages 108-109 of your deposition.

**Troy A. Pacella** | Associate Attorney

212.651.7413 Direct | [TPacella@SMSM.com](mailto:TPacella@SMSM.com)

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**From:** Carla Varriale-Barker <[CVarriale@SMSM.com](mailto:CVarriale@SMSM.com)>  
**Sent:** Wednesday, March 20, 2024 1:59 PM  
**To:** leah forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)>; Troy A. Pacella <[TPacella@SMSM.com](mailto:TPacella@SMSM.com)>  
**Cc:** [atwersky@twerskylaw.com](mailto:atwersky@twerskylaw.com); Lucia Saitta <[lucia@jvwlaw.net](mailto:lucia@jvwlaw.net)>; Ilana Neufeld <[ineufeld@twerskylaw.com](mailto:ineufeld@twerskylaw.com)>; Leander James <[ljames@jvwlaw.net](mailto:ljames@jvwlaw.net)>; [mguttmann@twerskylaw.com](mailto:mguttmann@twerskylaw.com); [jlowe@twerskylaw.com](mailto:jlowe@twerskylaw.com); Kimberly Connolly <[KConnolly@SMSM.com](mailto:KConnolly@SMSM.com)>  
**Subject:** RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Troy-please bullet point the outstanding items for her consideration—we received nothing—did you send it to Plaintiff's attorney?

**Carla Varriale-Barker** (*she/her/hers*) | Shareholder

212.651.7437 Direct | [cvarriale@smsm.com](mailto:cvarriale@smsm.com)

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**From:** leah forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)>  
**Sent:** Wednesday, March 20, 2024 1:53 PM  
**To:** Troy A. Pacella <[TPacella@SMSM.com](mailto:TPacella@SMSM.com)>  
**Cc:** Carla Varriale-Barker <[CVarriale@SMSM.com](mailto:CVarriale@SMSM.com)>; [atwersky@twerskylaw.com](mailto:atwersky@twerskylaw.com); Lucia Saitta <[lucia@jvwlaw.net](mailto:lucia@jvwlaw.net)>; Ilana Neufeld <[ineufeld@twerskylaw.com](mailto:ineufeld@twerskylaw.com)>; Leander James <[ljames@jvwlaw.net](mailto:ljames@jvwlaw.net)>; [mguttmann@twerskylaw.com](mailto:mguttmann@twerskylaw.com); [jlowe@twerskylaw.com](mailto:jlowe@twerskylaw.com); Kimberly Connolly <[KConnolly@SMSM.com](mailto:KConnolly@SMSM.com)>  
**Subject:** Re: Sokolovsky - Non-Party Witness Deposition of Leah Forster

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Whatever i had i sent

On Wed, Mar 20, 2024, 1:41 PM Troy A. Pacella <[TPacella@smsm.com](mailto:TPacella@smsm.com)> wrote:

Ms. Forster,

I am writing to follow up on our previous correspondence regarding the documents requested in Exhibit A, which was annexed to the subpoena you received.

As advised in our previous email our office has addressed this issue with the court.



We respectfully request again that you perform a comprehensive search for any documents responsive to the request outlined in Exhibit A.

Should you locate any responsive documents, we ask that you provide them to our office.

Should you have any questions please do not hesitate to contact me at any time.

**Troy A. Pacella** | Associate Attorney

212.651.7413 Direct | [TPacella@SMSM.com](mailto:TPacella@SMSM.com)

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**From:** Troy A. Pacella

**Sent:** Thursday, March 14, 2024 4:44 PM

**To:** leah forster <[lilatunes@gmail.com](mailto:lilatunes@gmail.com)>; Carla Varriale-Barker <[CVarriale@SMSM.com](mailto:CVarriale@SMSM.com)>

**Cc:** [atwersky@twerskylaw.com](mailto:atwersky@twerskylaw.com); Lucia Saitta <[lucia@jvwlaw.net](mailto:lucia@jvwlaw.net)>; Ilana Neufeld <[ineufeld@twerskylaw.com](mailto:ineufeld@twerskylaw.com)>; [ljames@jvwlaw.net](mailto:ljames@jvwlaw.net); [mguttmann@twerskylaw.com](mailto:mguttmann@twerskylaw.com); [jlowe@twerskylaw.com](mailto:jlowe@twerskylaw.com); Kimberly Connolly <[KConnolly@SMSM.com](mailto:KConnolly@SMSM.com)>

**Subject:** RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

Our office has since sought relief from the Court with respect to the documents requested within Exhibit A annexed to the subpoena provided by our office.

Within your deposition testimony you indicated that you are in possession of documents responsive to our requests. To date we have not received such documents.

Despite your claims of providing all documents to Plaintiff's attorney, we again request that you conduct a search of your records and provide our office with any responsive documents. This includes, but is not limited to the following:

- **Recent Communications with the Plaintiff:** All recent communications between yourself and the Plaintiff through WhatsApp and text messages, as referenced on pages 12, 13, 15, and 79 of your deposition transcript.
- **Payments to the Plaintiff:** As discussed on pages 44-45 of your deposition, we request records of any payments sent to the Plaintiff via Venmo, CashApp, or similar platforms.